

WEMMH/SB/21 (4/03)

T'P28  
124 CC**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/585,061
Filing Date	June 1, 2000
First Named Inventor	Samuel M.D. NORVILLE
Group Art Unit	1725
Examiner Name	Kuang Y. Lin
Attorney Docket Number	9105-3

Total Number of Pages in this Submission

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TC 1700**ENCLOSURES (check all that apply)**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Assignment Papers   | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached see PTO-2038 form  | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment Response   | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> To Convert a Provisional Application                            | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)  | <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request  | <input type="checkbox"/> Terminal Disclaimer   | <input type="checkbox"/> Additional Enclosure (please identify below)                      |
| <input type="checkbox"/> Express Abandonment Request  | <input type="checkbox"/> Small Entity Statement  | <input checked="" type="checkbox"/> Return Receipt Postcard                                |
| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement; PTO 1449 form & 1 reference. | <input type="checkbox"/> Request for Refund  |  |
| <input type="checkbox"/> Certified Copy of Priority Documents   |  |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application                                       | Remarks  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53                                    |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
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Signature	<i>James M. Durlacher</i>
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Date	June 2, 2004
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TC 1700**Certificate of Mailing**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: **June 2, 2004**

Typed or printed name	James M. Durlacher, Reg. No. 28,840
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Signature	<i>James M. Durlacher</i>
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Date	June 2, 2004
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# FEE TRANSMITTAL FOR FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$180.00)

**Complete if Known**  
Application Number 09/585,061  
Filing Date June 1, 2000  
First Named Inventor Samuel M.D. NORVILLE  
Group Art Unit 1725  
Examiner Name Kuang Y. Lin  
Attorney Docket Number 9105-3

## METHOD OF PAYMENT

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 23-3030

Deposit Account Name Woodard, Emhardt, Moriarty, McNett & Henry LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility Filing Fee	
1002	340	2002	170	Design Filing Fee	
1003	530	2003	265	Plant Filing Fee	
1004	770	2004	385	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$)					0

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee From Below	Fee Paid
-20** =	X	18	
Independent Claims	-3** =	X	86
Multiple Dependent		290	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet.	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner's Action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner's Action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Petitions related to provisional applications	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other Fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180)

## SUBMITTED BY

Name (Print/Type)

James M. Durlacher

Signature

James M. Durlacher

Registration No

28,840

(Attorney/Agent)

Telephone

(317) 634-3456

Date

June 2, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need any assistance in completing this form, call 1-800-PTO-9199 and select option 2.



9105-3 JMD.285067

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
 ) Before the Examiner  
Samuel M.D. NORVILLE, et al. )  
 ) Kuang Y. Lin  
Serial No. 09/585,061 )  
 ) Group Art Unit 1725  
Filed June 1, 2000 )  
 ) June 2, 2004  
APPARATUS FOR AND METHOD )  
OF PRODUCING ON-DEMAND )  
SEMI-SOLID MATERIAL FOR )  
CASTINGS )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the addressed to the Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450 on  
June 2, 2004

Date of deposit

James M. Durlacher

Name of Registered Representative

*James M. Durlacher*  
Signature

June 2, 2004

Date of Signature

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicant wishes to bring to the attention of the Examiner the following publication which was cited in the Search Report issued by the European Patent Office on May 7, 2004 in a counterpart European patent application:

Vives, C., "Elaboration of Metal Matrix Composites from Thixotropic Alloy Slurries using a New Magnetohydrodynamic Caster", Metallurgical Transactions B, Vol. 24B, No. 3, June 1993, pgs 493-510, Metallurgical Society of AIME, New York, U.S.

06/09/2004 MREKONEN 00000035 09585061

01 FC:1806

180.00 DP

This information has not previously been submitted in this application, and has not heretofore been cited by the Examiner. A copy of the cited item is enclosed in accordance with 37 C.F.R. § 1.98.

The identified information, taken alone or in combination with other art, provides information relating to the subject matter of the invention, but fails to teach, disclose or suggest the present invention. The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in § 1.56(b).

This Statement is being submitted on or after the mailing of a final action under § 1.113 or a Notice of Allowance under § 1.311, but before payment of the issue fee. Accordingly, this Statement accompanies a Petition and Certification Under 37 C.F.R. § 1.97(d) requesting consideration of this Statement.

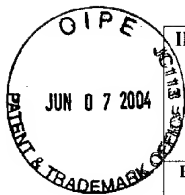
**PETITION AND CERTIFICATION**  
**UNDER 37 C.F.R. § 1.97(d)**

Applicant hereby petitions the United States Patent and Trademark Office for consideration of the enclosed Supplemental Information Disclosure Statement. The accompanying Information Disclosure Statement is being submitted on or after the mailing of a final action under § 1.113 or a Notice of Allowance under § 1.311, but before payment of the issue fee. The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from the European Patent Office in a counterpart foreign application not more than three months prior to the filing of this Statement.

In accordance with § 1.97(d), the petition fee as set forth in § 1.17(i)(1) is enclosed. The United States Patent and Trademark Office is authorized to charge any deficiency or credit any refund to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By James M. Durlacher  
James M. Durlacher, Reg. No. 28,840  
Woodard, Emhardt, Moriarty, McNett  
& Henry LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Sheet 1 of 1

Atty. Docket No.

9105-3

Serial No.

09/585,061

Applicant

Samuel M.D. NORVILLE, et al.

Filing Date

June 1, 2000

Group

1725

Examiner  
Initial**PUBLICATION**

Vives, C., "Elaboration of Metal Matrix Composites from Thixotropic Alloy Slurries using a New Magnetohydrodynamic Caster", Metallurgical Transactions B, Vol., 24B, No. 3, June 1993, pgs 493-510, Metallurgical Society of AIME, New York, U.S.

ExaminerDate Considered

\*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.